

AMEND BOARD REPORT 17-1206-EX12
**AUTHORIZE RENEWAL OF THE FRAZIER PREPARATORY ACADEMY CHARTER SCHOOL
 AGREEMENT WITH CONDITIONS**

THE CHIEF EXECUTIVE OFFICER RECOMMENDS THE FOLLOWING:

Authorize renewal of the Frazier Preparatory Academy Charter School Agreement (the "Charter School Agreement") with conditions for an additional three-year period. A new Charter School Agreement applicable to this renewal term will be negotiated. The authority granted herein shall automatically rescind in the event a written Charter School Agreement is not executed by the Board and the charter school's governing board within 120 days of the date of this Board Report. The agreement authorized herein will only take effect upon certification by the Illinois State Board of Education. Information pertinent to this renewal is stated below.

This December 2019 amendment is necessary to (a) revoke the charter and Charter School Agreement for Frazier Preparatory Academy Charter School at the end of the 2019-2020 school year for the reasons set forth below, and (b) authorize a wind down agreement for the charter school. Frazier Academy Design Team, Inc. shall wind down and cease operations of its charter school and return its charter to the Board effective as of July 1, 2020.

SCHOOL OPERATOR: Frazier Academy Design Team, Inc., an IL not-for-profit corporation
 3711 W. Douglas Blvd
 Chicago, Illinois 60623
 Phone: 773-521-1334
 Contact Person: Tommy L. Møere Duff Sr., Board President

CHARTER SCHOOL: Frazier Preparatory Academy Charter School
 3711 W. Douglas Blvd
 Chicago, Illinois 60623
 Phone: 773-521-1334
 Contact Person: Tommy L. Møere Duff Sr., Board President

OVERSIGHT: Office of Innovation and Incubation
 42 W. Madison Street, 3rd Floor
 Chicago, IL 60602
 Phone: 773-553-1530
 Contact Person: Hal Woods ~~Mary K. Bradley~~, Interim Executive Director

ORIGINAL AGREEMENT: The original Charter School Agreement (authorized by Board Report 13-0626-EX4) was for a term commencing July 1, 2013 and ending June 30, 2018 and authorized the operation of a charter school serving no more than 560 students in grades K through 8. The charter and Charter School Agreement were subsequently amended as follows:

- Board Report 14-0226-EX5: Approved the relocation of the charter school to the CPS facility at 3711 W. Douglas Boulevard beginning in the fall of 2014.

CHARTER RENEWAL PROPOSAL: Frazier Academy Design Team, Inc. submitted a renewal proposal on July 31, 2017 to continue the operation of Frazier Preparatory Academy Charter School ("Frazier Prep"). The charter school shall continue to be located at 3711 W. Douglas Boulevard and shall continue to serve grades K through 8 with a maximum enrollment of 560 students.

If Frazier Academy Design Team, Inc. is authorized to operate a pre-kindergarten program in the same building as the charter school, the children enrolled in the pre-kindergarten will not be included in the enrollment of the charter school and the pre-kindergarten program will not be governed by the Charter School Agreement.

The agreement will incorporate an accountability plan in which the charter school is evaluated by the Board each year based on numerous factors related to its academic, financial and operational performance.

On November 27, 2019, the Office of Innovation and Incubation provided written notice to Frazier Academy Design Team, Inc. that the Chief Executive Officer ("CEO") intended to recommend to the Board the revocation of the charter and Charter School Agreement for Frazier Prep effective at the end of the 2019-2020 school year.

Section 27A-9(c)(2) of the Illinois Charter Schools Law states that a charter may be revoked if it fails to "meet or make reasonable progress toward achievement of the content standards or pupil performance standards identified in the charter." Furthermore, Section 27A-9(c)(4) of the Illinois Charter Schools Law states that, after being notified of the reason for revocation, the charter school must submit a written plan for remediation, the plan for remediation will be reviewed and a determination will be made whether the charter school failed to implement the plan.

Frazier Prep's Charter School Agreement dictates that the charter school will be evaluated annually in accordance with the CPS School Quality Rating Policy ("SQR") and Charter School Quality Policy ("CSQP") to determine if the school is meeting or making reasonable progress toward achievement of the content standards or pupil performance standards. On October 26, 2018, Frazier Academy Design Team, Inc. was given notice that Frazier Prep received a Level 2 rating on the SQR for the prior 2017-2018 school year and its school was failing to meet or make reasonable progress toward achievement of the content standards or pupil performance standards, and was placed in Revocation status. Frazier Prep was placed on the Academic Warning List and submitted a remediation plan. The Office of Innovation and Incubation, in conjunction with the Office of Accountability, reviewed the remediation plan and its implementation in accordance with the academic revocation process timeline. On November 8, 2019, Frazier Prep received another Level 2 rating on SQR for the prior 2018-2019 school year. Frazier Prep was placed on the Academic Warning List for a second consecutive year due to its continued failure to meet or make reasonable progress toward achievement of the content standards or pupil performance standards.

On November 8, 2019, Frazier Academy Design Team, Inc. was notified of a public hearing on November 14, 2019 for the consideration of revocation of the charter and Charter School Agreement for Frazier Prep. The hearing notice was published in the November 9, 2019 edition of the Chicago Sun-Times. The hearing was conducted on November 14, 2019.

Pursuant to the Illinois Charter Schools Law and the Charter School Agreement, the CEO recommends that the charter and Charter School Agreement for Frazier Prep be revoked at the end of the 2019-2020 school year because Frazier Prep has been on the Academic Warning List for two consecutive years and has failed to implement its remediation plan.

Frazier Academy Design Team, Inc. shall wind down and cease operations of its charter school and return its charter to the Board effective as of July 1, 2020. Both parties shall enter into a wind down agreement with respect to the charter revocation.

CHARTER EVALUATION: After receiving the charter renewal proposal, the Office of Innovation and Incubation conducted a comprehensive evaluation of Frazier Prep's academic performance, financial viability, and legal and contract compliance. This evaluation included a review of the proposal, academic results, financial performance, governance documents, parental issues, facilities surveys, and special education documentation. A public hearing was held on November 6, 2017 for all contract and charter schools going through renewal to receive public comments, including Frazier Prep. The Office of Innovation and Incubation recommends that, based on the school's performance on these and other accountability criteria, as well as the school's demonstration of intent to satisfy the "Additional Terms and Conditions" referred to herein below, Frazier Prep be authorized to continue operating as a charter school.

RENEWAL TERM: The term of Frazier Prep's charter and agreement is being extended for a three (3) year term commencing July 1, 2018 and ending June 30, 2021. Frazier Prep's charter and agreement are being revoked at the end of the 2019-2020 school year. The charter for this school shall be returned to the Board effective as of July 1, 2020.

ADDITIONAL TERMS AND CONDITIONS: Additional terms and conditions will be communicated to the charter school by the Chief Executive Officer or his designee in a formal Letter of Conditions and will be included as an attachment to the Charter School Agreement with Frazier Academy Design Team, Inc.

AUTHORIZATION: Authorize the General Counsel to include relevant terms and conditions, including any indemnities to be provided to the charter school, in the written Charter School Agreement and wind down agreement for the charter school. Authorize the President and Secretary to execute the written Charter School Agreement and wind down agreement for the charter school. Authorize the Interim Executive Director of the Office of Innovation and Incubation to issue a letter notifying the Illinois State Board of Education of the action(s) approved hereunder and to submit the approved proposal and signed Charter School Agreement to the Illinois State Board of Education for certification. Authorize the General Counsel to further negotiate and execute any amendments to the Charter School Agreement as required by the Illinois State Board of Education. Authorize the Interim Executive Director of the Office of Innovation and Incubation to issue a letter notifying the Illinois State Board of Education and the Illinois State Charter School Commission of the revocation of the charter and the Charter School Agreement and any other information as may be necessary due to the closure of the charter school.

LSC REVIEW: Approval of Local School Council is not applicable to this report.

FINANCIAL: The financial implications will be addressed during the development of the 2018-2019 2020-2021 fiscal year budget. Since the School Code of Illinois prohibits the incurring of any liability unless an appropriation has been previously made, expenditures beyond FY4820 are deemed to be contingent liabilities only, subject to appropriation in subsequent fiscal year budgets.

GENERAL CONDITIONS:

Inspector General - Each party to the agreement shall acknowledge that, in accordance with 105 ILCS 5/34-13.1, the Inspector General of the Board of Education has the authority to conduct certain investigations and that the Inspector General shall have access to all information and personnel necessary to conduct those investigations.

Conflicts - The agreement shall not be legally binding on the Board if entered into in violation of the Provisions of 105 ILCS 5/34-21.3, which restricts the employment of, or the letting of contracts to, former Board members during the one-year period following expiration or other termination of their terms of office.

Indebtedness - The Board's Indebtedness Policy adopted June 26, 1996 (96-0626-PO3), as amended from time to time, shall be incorporated into and made a part of the agreement.

Ethics - The Board's Ethics Code adopted May 25, 2011 (11-0525-PO2), as amended from time to time, shall be incorporated into and made a part of the agreement.

Approved for Consideration:




Bing A. Howell
Chief Portfolio Officer

Approved as to Legal Form: 



Joseph T. Moriarty
General Counsel

Approved:



Janice K. Jackson
Chief Executive Officer